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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,757	09/05/2000	Armand Nachev	T2147-906524	2768

7590 09/21/2004
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EXAMINER

HOANG, PHUONG N

ART UNIT PAPER NUMBER

2126

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,757

Applicant(s)

NACHEF ET AL.

Examiner

Phuong N. Hoang

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11 - 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11 - 14, 17 - 22, 25 - 27, and 30 - 33 is/are rejected.
- 7) ☒ Claim(s) 15 - 16, 23 - 24, and 28 - 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 11 – 33 are pending for examination.
2. The cross references related to the application cited in the specification, filed on 9/5/00, paper number 4, must be updated (i.e. update the relevant status, with PTO serial numbers or patent numbers where appropriate, on pages 1 – 2; the entire specification should be revised).

Drawings

3. The drawings are objected to under 37 CFR 1.83(b) because they are incomplete. 37 CFR 1.83(b) reads as follows:

When the invention consists of an improvement on an old machine the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement

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sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 11 – 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The claim language in the following claims is not clearly understood:

- i. As to claims 11 and 31, at lines 5 – 6, it is not clearly indicated that "an instance of a generic class" and "global generic class" are the same or different. If they are the same, they must have the same name. For examination purpose, examiner treats them as the same.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 11 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) page 1 – 2 in view of Carlson, US patent no. 6,405,363.**

8. **As to claim 11**, the APA teaches a method for dynamically generating an object class (dynamic creation of an object class, page 1) in a computer system, comprising the step of:

creating a global generic class (class, page 1) having a first member being related to at least one attribute (attribute, page 1) and a second member being related to at least one method (method, page 1).

The APA does not explicitly teaches the step of wherein at least one member is an instance of a generic class, the generic class having at least a name and an attribute, and instantiating the global generic class to have generate said object class.

Carlson teaches the step of at least one member is an instance of a generic class (attribute, col. 5 lines 5 – 40) the generic class having at least a name as an

attribute (name, col. 4 lines 50 – 58) and instantiating the global generic class to have generate said object class (instantiation of a class, col. 41 – 50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the APA and Carlson's system because Carlson's instantiating a class would allow the application copy one to many classes as designed to fulfill the requirement of the application.

9. **As to claim 12**, Carlson teaches the step of wherein the first member is an attribute of the global generic class said first member being an instance of a generic attribute class (attribute class, col. 5 lines 35 – 40).

10. **As to claims 13 and 14**, the APA and Carlson do not explicitly teach the step of wherein the second member is a method of the global generic class said second member being an instance of a generic method class. However, Carlson teaches the step of the aggregation of class relationships (col. 5 lines 5 – 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that the containing class or aggregation class can contain or aggregate a second member to be a method class because it provide a capability to dynamically add or delete a extensible item.

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11. **Claims 18, 19, 25 – 27, and 30 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) page 1 – 2 in view of Carlson, US patent no. 6,405,363, and further in view of Haven, US patent no. 5,732,263.**

12. Haven reference was cited in the last office action.

13. **As to claim 18**, Havens teaches the step of wherein the method is implemented in a command interface (input device 22 such as keyboard or mouse, col. 5 lines 45 – 59) used of the computer system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the APA, Carlon, and Haven's system because Haven's command interface would provide a tool for the user to dynamically creating and manipulating object class.

14. **As to claim 19**, Carlson teaches the step of wherein the global generic class and the generic class is created by a designer (designer, col. 5 lines 65 – 67) who is a computer expert, and a user who may not be a computer expert uses the command interface to instantiate the global generic class created by the designer to generate said object class.

15. **As to claims 25 – 27, and 30**, see rejection for claim 18 above.

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16. **As to claim 31**, this is a system claim of claim 11. See rejection for claim 11 above.

17. **As to claim 32**, see rejection for claim 25 above.

18. **As to claim 33**, see rejection for claim 19 above.

19. **Claims 17, and 20 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) page 1 – 2 in view of Carlson, US patent no. 6,405,363, and further in view of Stuz, US patent no. 5,485,617.**

20. Stuz reference was cited in the last office action.

21. **As to claims 17, and 20 – 22**, the APA and Carlson do not teach the step of automatically generating the global generic class and the generic class by means of a tool having respective dialog boxes defining attributes of these classes.

Stuz teaches the step of automatically generating the global generic class and the generic class by means of a tool having respective dialog boxes (generating ... using the dialog box, col. 12 lines 6 – 15) defining attributes.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the APA, Carlson, and Stuz's system because Stuz's dialog box would provide more user-friendly way of defining attributes of classes.

Allowable Subject Matter

22. Claims 15 - 16, 23 - 24, and 28 - 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

23. Applicant's arguments, filed on 5/4/04, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

24. The prior made of record and not relied upon request is considered pertinent to applicant's disclosure.

Ryu at al, US patent no. 5,481,718, demonstrating a method for dynamic creating the instances to each of the class.

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Graser et al, US patent no. 6,275,979, demonstrating a method for object oriented run-time extensible item.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703) 605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
September 17, 2004


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